

Micah R. Steinhilb, OSB No. 084820

msteinhilb@gordon-polscer.com

Coral E. Muessig, OSB No. 243882

cmuessig@gordon-polscer.com

GORDON & POLSCER, L.L.C.

9020 SW Washington Square Road, Suite 560

Tigard, Oregon 97223

Telephone: (503) 242-2922

Facsimile: (503) 242-1264

Attorneys for Defendant

State Farm Mutual Automobile Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

MISTY BRIMMER, an individual

Case No.

Plaintiff,

NOTICE OF REMOVAL
OF CIVIL ACTION

v.

(Multnomah County Circuit Court
Case No. 25cv34179)

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, or its unknown
business entity, a foreign corporation,

Defendant.

TO: The Clerk of the United States District Court of Oregon
(Portland Division)

AND TO: Plaintiff MISTY BRIMMER, an individual, and to Counsel of Record at
HUNKING LAW, LLC.

Defendant STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

("State Farm") hereby gives notice that this action is removed to the United States District Court
for the District of Oregon, Portland Division, from the Circuit Court of the State of Oregon for

the County of Multnomah. Pursuant to 28 USC §1441 and 28 USC §1446, State Farm further states:

PROCEDURAL POSTURE--STATE COURT ACTION

1. State Farm is a defendant in a civil action filed by Plaintiff in the Circuit Court of the State of Oregon for the County of Multnomah, entitled *Misty Brimmer v. State Farm Mutual Automobile Insurance Company*, Case Number 25CV34179 (the “State Court Action”).

2. Plaintiff filed her Complaint with the Clerk for the Circuit Court of the State of Oregon for the County of Multnomah on or about June 3, 2025. State Farm was served with the Complaint on June 9, 2025.

3. This Notice of Removal of Civil Action is timely under 28 USC §1446(b), in that it is being filed within 30 days of service of Plaintiff’s Complaint. Other than Notices of Removal, State Farm has not filed pleadings in this action to date.

4. A true copy of the docket sheet in the State Court is attached as **Exhibit 1**. Copies of the Summons, Complaint, and Proof of Service, as served on Defendant, are attached collectively as **Exhibit 2**. A separate Jury Demand has not been filed as of the date of this Notice of Removal.

5. The State Court Action is a controversy between citizens of different states. State Farm is informed and has a good faith belief that plaintiff Misty Brimmer is a Citizen of the State of Oregon and State Farm is an insurance company which is organized in the State of Illinois and has its principal place of business in the State of Illinois.

6. Upon information and belief, complete diversity exists between Plaintiff and defendant.

7. The State Court Action is a civil action by Plaintiff seeking \$301,000 plus attorney fees in damages for breach of an insurance contract and for negligence per se regarding insurance claims handling. Accordingly, the amount in controversy in the State Court Action is in excess of the sum of \$75,000, exclusive of interest and costs. State Farm denies it is liable to plaintiff for the allegations and claims asserted in the State Court Action.

STATEMENT OF JURISDICTION

8. This Court has original jurisdiction of this civil action pursuant to 28 USC §1332, and the action, therefore, is subject to removal pursuant to 28 USC §1441(a).

9. Venue is proper in the United States District Court for the District of Oregon, Portland Division, because the State Court Action is removed from the Circuit Court of Oregon for the County of Multnomah.

10. State Farm is concurrently filing a Notice to State Court of Removal with the Clerk of the Multnomah County Circuit Court, in accordance with 28 USC §1446(d). Such Notice is also being concurrently served on Plaintiff through his attorneys.

///

///

///

///

///

///

///

///

///

STATE FARM'S NON-WAIVER AND RESERVATION OF RIGHTS

11. By filing this Notice of Removal of Civil Action, State Farm does not waive, and expressly reserves, all rights, claims, defenses, privileges and/or objections of any nature that State Farm may have to Plaintiff's allegations and claims in the State Court Action.

DATED this 8th Day of July 2025.

Respectfully Submitted by:

GORDON & POLSCER, L.L.C.

By: s/ Micah R. Steinhilb
Micah R. Steinhilb
OSB No. 084820
msteinhilb@gordon-polscer.com

By: s/ Coral E. Muessig
Coral E. Muessig
OSB No. 243882
cmuessig@gordon-polscer.com

*Attorneys for Defendant
State Farm Mutual Automobile
Insurance Company*